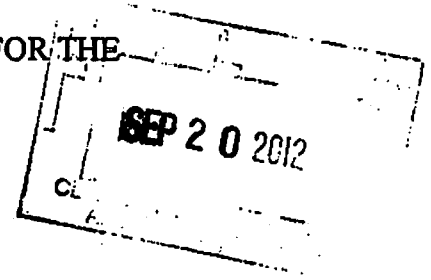


IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA )

v. )

Case No. 1:12mj610

ARTAVIA LORRAINE PALMER )  
a/k/a "Tay," )

UNDER SEAL

ELITCHA KWAMI BONNEY, )

MELISSA JANICE HALL )  
a/k/a "Charlie," )

SHERRITA ROCQUEL MCMILLIAN )  
a/k/a "Rocque" and "Rita," )

Defendants. )

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR  
CRIMINAL COMPLAINT AND ARREST WARRANTS**

I, Bryan J. Morrison, Narcotics Detective with the Arlington County Police Department (ACPD) being duly sworn, depose and state as follows:

1. I have been employed as a police officer with the Arlington County Police Department in Arlington County, Virginia, for more than 10 years. I was previously a Federal Police Officer employed by the United States Capitol Police for a period of 3 years. I was also previously employed as a patrol officer, a canine handler, and a crime scene evidence technician.

I have been assigned to the Vice/Narcotics Unit for the past year as a narcotics detective.

2. I have experience in the investigation of violations of federal and state narcotic laws. I have conducted and participated in numerous narcotics investigations resulting in the arrest and conviction of drug distributors, and the seizure of significant quantities of controlled

substances. I have received extensive training in drug identification, drug distribution methods, and drug enforcement techniques from the Northern Virginia Criminal Justice Academy and the Virginia Department of Criminal Justice Services, the Federal Law Enforcement Training Center (FLETC), as well as seminars conducted by the Drug Enforcement Administration and other federal and state agencies.

3. Through my training, experience, and conversations with other experienced investigators and law enforcement personnel, I have become familiar with the methods used by drug traffickers to manufacture, smuggle, safeguard, and distribute narcotics. I am also familiar with the use, effects, and appearance of controlled substances. I am further aware of the methods employed by narcotics organizations and their use of telephones and other devices to conduct their criminal enterprises, including the use of fictitious subscriber names to conceal their identities and thwart investigation of their illegal activities.

4. This affidavit is submitted in support of an application for a criminal complaint and arrest warrant for the following individuals: Artavia Lorraine PALMER (also known as "Tay"); Elitcha Kwami BONNEY; Melissa Janice HALL (also known as "Charlie"); and Sherrita Rocquel MCMILLIAN (also known as "Rocquie" and "Rita") (collectively, the "defendants").

5. I submit that the evidence described in this affidavit establishes probable cause to believe that from on or around June 2011 to the present date, within the Eastern District of Virginia and elsewhere, the defendants did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree with other persons, both known and unknown, to distribute, acquire and obtain by misrepresentation, fraud, forgery, deception, or subterfuge, Promethazine with Codeine Syrup, a Schedule V controlled substance, in violation of Title 21, United States

Code, Sections 841(a)(1), 843(a)(3), and 846.

6. The facts and information in this affidavit are either personally known to me, have been related to me by other law enforcement officers and/or confidential sources, or have been related to me by records and documents gathered in this investigation.

7. This affidavit contains information necessary to support probable cause for this application. It is not intended to include each and every fact and matter observed by me or known to the government. The inferences and conclusions I draw from the evidence that are included in this affidavit are based on my training, experience, and knowledge of the investigation.

8. This conspiracy involves the defendants obtaining Promethazine with Codeine Syrup, through fraudulent prescriptions, within the Eastern District of Virginia and elsewhere, and distributing the schedule V controlled substance for profit within the United States. The defendants in this investigation often times utilized the names of others, often fictitious, to obtain the Promethazine with Codeine Syrup, and various items of evidence were discovered by law enforcement, to include personal "notes" outlining these names and their identifying information.

9. The existence of this conspiracy was first uncovered through reports of subjects obtaining fraudulent prescriptions of Promethazine with Codeine Syrup reported to the Arlington County Police Department. More specifically, on or about April 17, 2012, law enforcement officers encountered Melissa HALL at the CVS Pharmacy, located at 3133 Lee Highway, Arlington, Virginia, which is located within the Eastern District of Virginia. HALL was attempting to obtain a prescription for 400 ml of Promethazine with Codeine Syrup under the name of [REDACTED]. Pharmacy employees provided information that the prescription had been called-in reporting the prescribing physician as [REDACTED]. The called-in prescription

provided a contact phone number ending in the last four (4) digits "8089." It was later uncovered that HALL utilized a cellular phone with that same number. During this encounter, law enforcement officers seized an Apple iPhone and a spiral notebook.

10. Your affiant reviewed the contents of the spiral notebook and found that it contained approximately eighty-seven (87) different name and date of birth combinations, including the same name and date of birth combination for [REDACTED] along with phone numbers and addresses of pharmacies in Virginia, Maryland, and Washington, D.C. The page containing the entry with [REDACTED] name also had an additional four (4) name and date of birth combinations, which had been found to have been utilized in fraudulent prescriptions for Promethazine with Codeine Syrup at four separate CVS Pharmacies in Arlington, Virginia on April 17, 2012. Your affiant obtained security video footage from three (3) of the CVS Pharmacies, which showed Melissa HALL at those locations picking up or attempting to pick up the fraudulent prescriptions. All of the prescriptions on April 17, 2012, were prescribed under the name of [REDACTED] and were confirmed to be false.

11. On May 11, 2012, your affiant applied for and obtained a search warrant in Arlington, Virginia, for the contents and storage media of the Apple iPhone seized from HALL. Your affiant reviewed the stored information, which included contact logs, incoming and outgoing calls, photographs, and SMS text messages. Numerous photographs were found on the Apple iPhone which included images of Melissa HALL, blank prescription "pads" from Kaiser Permanente, and multiple photographs of bottles of Promethazine with Codeine Syrup. A review of the outgoing calls indicated numerous entries to pharmacies.

12. The Apple iPhone seized from HALL also contained a "contact list" which included the names and corresponding phone numbers for defendants Elitcha BONNEY, Artavia PALMER, and Sherrita MCMILLIAN.

13. Your affiant also reviewed the SMS text messages from the iPhone seized from HALL, which included entries outlining exchanges between HALL and other unindicted co-conspirators, discussing obtaining prescriptions for Promethazine with Codeine Syrup from pharmacies in Virginia, Maryland, and Washington, D.C. In at least one exchange with an unindicted co-conspirator, HALL discussed having trouble obtaining a "pad" from an unknown source because "the doctor is under investigation." In another exchange, HALL discussed selling "pads" and "bottles." HALL also texted the names and date of birth combinations, and locations of pharmacies, to unindicted co-conspirators. Many of the text messages involved the name and date of birth combinations that were in the spiral notebook seized from HALL on April 17, 2012. Further investigation by your affiant, including reviewing pharmacy records and security video, confirmed that these prescriptions were fraudulently obtained either by HALL or by her co-conspirators, including BONNEY, PALMER, and MCMILLIAN.

14. For example, on or about April 9, 2012, a prescription for Promethazine with Codeine Syrup was filled at CVS, located at 972 East Little Creek Road, Norfolk, Virginia, in the name of [REDACTED] with date of birth listed as [REDACTED] with a prescribing physician listed as [REDACTED]. Your affiant contacted [REDACTED] who stated that she did not have a patient by the name of [REDACTED] nor did she prescribe the Promethazine with Codeine Syrup.

1:16 P.M. SMS from BONNEY to HALL-" 17574802704" (identified as CVS, 972 East Little Creek Road, Norfolk, Virginia)

1:19 P.M. SMS from BONNEY to HALL-"[REDACTED] Norfolk VA 23504"

- 1:21 P.M. SMS from HALL to BONNEY-"what pharmacy is it"
- 1:25 P.M. Call from HALL to CVS (972 East Little Creek Road, Norfolk, Virginia)
- 1:32 P.M. SMS from HALL to BONNEY-"[REDACTED] she said the 1 hr so call at 2:30 to see if it is ready the doctor is [REDACTED] at Washington Hospital Center"
- 4:43 P.M. Prescription is picked up at CVS by BONNEY (confirmed by store security video)

15. On or about April 12, 2012, a prescription for Promethazine with Codeine Syrup was filled at CVS, located at 4238 Wilson Boulevard, Arlington, Virginia, was filled and obtained in the name of [REDACTED] [REDACTED], Washington, D.C., date of birth of [REDACTED], with a prescribing physician listed as [REDACTED]. Your affiant contacted [REDACTED] who stated that she did not have a patient by that name, nor did she prescribe the Promethazine with Codeine Syrup.

- 1:12 P.M. Call from HALL to CVS (4238 Wilson Boulevard, Arlington, Virginia)
- 1:27 P.M. SMS from HALL to MCMILLIAN-"Abt to go pick up some bottles before work"
- 1:52 P.M. SMS from HALL to MCMILLIAN-"No I called these in I'm surprise all the calls made today went thru"
- 3:18 P.M. Call from HALL to CVS (4238 Wilson Boulevard, Arlington, Virginia)
- 3:27 P.M. Prescription is picked up at CVS by HALL (confirmed by store security video)

16. On or about April 12, 2012, two prescriptions for Promethazine with Codeine Syrup were filled and obtained at two separate CVS locations. The first was filled at 4261 E. Little Creek Rd, Norfolk Virginia, in the name of [REDACTED], Norfolk Virginia, date of birth of [REDACTED]. The second was filled at 1800 Frederick Boulevard., Portsmouth Virginia, in the name [REDACTED], Norfolk Virginia, date of birth of [REDACTED]. Both of these prescriptions indicated that the prescribing physician

was [REDACTED]. Based on previous conversations with [REDACTED] your affiant is aware that [REDACTED] does not prescribe Promethazine with Codeine Syrup.

10:40 A.M. SMS from BONNEY to HALL- "1757 5880123 is sweet for it son and one other or 2 more I just got the rental today be home tomorrow" (identified as CVS, 4261 E. Little Creek Rd., Norfolk VA)

10:44 A.M. SMS from BONNEY to HALL- "17573931120" (identified as CVS, 1800 Frederick Boulevard., Portsmouth VA)

11:21 A.M. Call from HALL to CVS (4261 E. Little Creek Rd., Norfolk VA)

11:25 A.M. Call from HALL to CVS (1800 Frederick Boulevard., Portsmouth VA)

11:45 A.M. SMS from HALL to BONNEY- "1757-588-0123 [REDACTED]"

11:46 A.M. SMS from HALL to BONNEY- "1757-393-1120 [REDACTED]"

4:16 P.M. Prescription is picked up at 4261 E. Little Creek Rd.

6:16 P.M. Prescription is picked up at 1800 Frederick Boulevard.

17. On or about April 14, 2012, a prescription for Promethazine with Codeine Syrup was filled and obtained at 415 East Monroe St., Alexandria, Virginia, in the name of [REDACTED] [REDACTED] Gastonia, North Carolina, date of birth [REDACTED]. The prescribing physician was [REDACTED]. Based on previous conversations with [REDACTED] your affiant is aware that [REDACTED] does not prescribe Promethazine with Codeine Syrup.

9:56 A.M. SMS from BONNEY to HALL- "Did u call it inn"

10:29 A.M. SMS from BONNEY to HALL- "I lost 15 hundred gambloing last night i need 5 bottles please im broke"

12:39 P.M. SMS from BONNEY to HALL- "Wat up tjho"

12:39 P.M. SMS from HALL to BONNEY- "Stop texting me I'm calling now chill out"

12:50 P.M. Call from HALL to CVS (415 E. Monroe Ave., Alexandria VA)

1:05 P.M. SMS from HALL to BONNEY- "703 683 4433 [REDACTED] (identified as CVS, 415 E. Monroe Ave., Alexandria VA)

2:40 P.M. Prescription picked up at CVS by BONNEY (confirmed by store security video)

8:21 P.M. SMS from HALL to BONNEY- "I know you found a sale by now"

8:43 P.M. SMS from BONNEY to HALL- "I havent they bs dam how much do u really want dam i lost 15 hundred yesterday i will pay u wat for 3 u caught the big sales"

8:45 P.M. SMS from HALL to BONNEY- "I understand all that but this is a business and you choose to do that but u can just give me 200"

18. Your affiant conducted a review of HALL's SMS messages from April 16 and 17, 2012, which showed communications with the phone number ending in the last four (4) digits "0347." Law enforcement obtained records matching the phone number to Elitcha BONNEY. SMS messages and call detail records between HALL and BONNEY reveal the following contact:

April 16, 2012

12:24 PM BONNEY to HALL "7578522603 17573120502"

12:57 PM BONNEY to HALL "My father has ur money u can pick it anytime"

3:20 PM BONNEY to HALL "Do they close at certain time, put in three son please I have the money I need to hustle up"

7:11PM HALL call to 757-312-0502 (CVS Pharmacy, 1329 Kempsville Road, Chesapeake, Virginia)

7:14 PM HALL call to 757-852-2603 (CVS Pharmacy, 3200 Lafayette Boulevard, Norfolk, Virginia)

7:20PM HALL to BONNEY "757-852-2603 [REDACTED]"

7:21 PM HALL to BONNEY "757-312-0502 [REDACTED]"



(Pharmacy records from CVS, 1329 Kempsville Road, Chesapeake, Virginia, showed a prescription for Promethazine with Codeine Syrup under the name [REDACTED] picked up by subject.)

9:06 PM BONNEY to HALL "That's crazy 5 bottles for 4 hundred u just did me 7 for like 2 and some changw cuz i help u wirt the bottles 100 crazy I got to pay and get it out tell me u real"

9:27 PM BONNEY to HALL "my man tryna buy 5 bottles for 1100 right now got a sell and everything"

11:10 PM BONNEY to HALL "dam what u charging me so i can get back i need 3 more in rthe morning so go get the money get me a deal dan"

11:22 PM HALL to BONNEY "I'll take that sale and u owe me 175"

April 17, 2012

12:53 PM BONNEY to HALL "17573120502 17573931120"

1:19 PM HALL call to 757-393-1120 (CVS Pharmacy, 1800 Frederick Boulevard, Portsmouth, Virginia)

1:24 PM HALL call to 757-312-0502 (CVS Pharmacy, 1329 Kempsville Road, Chesapeake, Virginia)

1:27 PM HALL to BONNEY "757-312-0502 [REDACTED]"

1:28 PM HALL to BONNEY "757-393-1120 [REDACTED]" and "and I'm picking these 5 bottles up now wassup with your friend"

19. On or about April 27, 2012, law enforcement officers encountered Artavia PALMER at the Walgreens Pharmacy, located at 2970 Shasho Place, Waldorf, Maryland 20603. PALMER was attempting to obtain a prescription for 240ml of Promethazine with Codeine Syrup, in the name of [REDACTED] with a date of birth of [REDACTED] Pharmacy employees indicated that the prescription had been called-in by an unknown female who identified herself as [REDACTED] The caller provided a health care phone number ending in the last four (4) digits "7000," and a DEA/NPI number ending in the last three (3) digits "452." At

approximately 8:48 p.m., law enforcement officers witnessed a blue Chrysler Sebring pull up to the drive-through pharmacy window. The driver of the car, later identified as PALMER, obtained the fraudulent prescription by providing the name and date of birth of [REDACTED]. Once the transaction was complete, law enforcement officers approached the vehicle. PALMER was observed with the bottle in her hands, and when she saw the law enforcement officers, she dropped the bottle into her passenger's lap.

20. After PALMER was arrested, law enforcement officers seized, among other things, a Samsung Galaxy S cellular phone, four (4) bottles of Promethazine with Codeine Syrup in the names of [REDACTED] Sherrita MCMILLAN, [REDACTED] and [REDACTED] a note with the heading "P/U List," which is believed to represent "Pick Up List," and a notebook. Law enforcement officers searched the contents of the notebook and found numerous name and date of birth combinations, including the names [REDACTED] Sherrita MCMILLAN, [REDACTED] and [REDACTED]. There were also telephone numbers and addresses of various pharmacies in the Eastern District of Virginia and elsewhere.

21. Law enforcement obtained and executed a search warrant on the Samsung Galaxy S cellular phone seized from PALMER. During the search, law enforcement found SMS messages containing communications between PALMER, HALL, MCMILLIAN, and other unindicted co-conspirators. Also found were known phone numbers for Melissa HALL and Sherrita MCMILLIAN. Call detail records also showed phone calls placed to various pharmacies in the Eastern District of Virginia, corresponding to suspected fraudulent prescriptions for Promethazine with Codeine Syrup. Moreover, several of the SMS messages contained language, based on my training and experience, consistent with the sale of controlled substances, to include:

November 17, 2011

- 8:22 P.M. HALL to PALMER-"Ive got a pad for you the first one without the doctor name on it"
- 8:23 P.M. PALMER to HALL-"yaa I need dat how much tho?"
- 8:25 P.M. HALL to PALMER-"same price 75 the bitch went up she charged him 90 lls someone must of hiped her"
- 8:47 P.M. PALMER to HALL-"OK I want it"

November 18, 2011

- 4: 42 P.M. PALMER to HALL-"don't sell or give no sheets 2 nobody, Imma buy 2nite or 2mo 4sure princess"

November 20, 2011

- 8:31 A.M. PALMER to HALL-"I need 2 mk some blk fre \$\$\$\$ cmon girl I'm tryna turn Them sheets into a pad and \$\$\$\$ when u start lying and shit smh lls text when U ready"
- 8:33 A.M. HALL to PALMER-"My ride didn't come lastnight but I'm going get them too you I'll get Rocqui to bring me too u"

February 4, 2012

- 2:51 P.M. PALMER to "Suave" -"Ok and plus want a 12 so just 175 for both bet I believe u chump"
- 2:58 P.M. "Suave" to PALMER-"Lls cool. Preciate dat"
- 2:59 P.M. "Suave" to PALMER-"I want dat other 4 too. To make it 32"
- 2:50 P.M. "Suave" to PALMER-"2 16s"
- 3:00 P.M. PALMER to "Suave"-"So \$225"
- 3:01 P.M. "Suave" to PALMER-"\$50 for 4 ounces"

22. On or about June 15, 2012, a prescription for Promethazine with Codeine Syrup was called into the CVS, located at 6404 Williamsburg Boulevard, Arlington, Virginia by

an individual identifying herself as [REDACTED] from [REDACTED] office. The caller provided a patient name of [REDACTED] with a date of birth of [REDACTED]. The caller also provided the DEA number of [REDACTED]. The prescription was picked up at approximately 9:26 p.m. on June 15, 2012. On June 22, 2012, your affiant was notified of the fraudulent prescription, viewed the security video footage, and identified the individual picking up the prescription as Artavia PALMER.

23. On or about July 16, 2012, a prescription for Promethazine with Codeine Syrup was called in to the Rite Aid pharmacy, located at 3400 Mountain Road, Pasadena, Maryland, under the name of [REDACTED]. Officers stated that MCMILLIAN went to the pharmacy representing that she was picking up the prescription for [REDACTED] but she did not have the money to purchase the prescription at the time. MCMILLIAN returned with Artavia PALMER and attempted to pick up the prescription, but the pharmacist refused to give it to them. MCMILLIAN and PALMER then attempted to leave the store after picking up several items without paying for them and were stopped outside in the parking lot. Both subjects left in a vehicle, were stopped by law enforcement, and were arrested. During a search of the vehicle incident to arrest various items were seized, including, among other items, a bottle labeled Promethazine with Codeine Syrup, several written prescriptions, and a list of pharmacies, names, and telephone numbers.

24. Law enforcement officers obtained pharmacy records from CVS, Target, Giant, and Safeway from 2011 through the present, for the names found in the spiral notebook and iPhone seized from HALL. Your affiant reviewed the records, which found a total of approximately one hundred and six (106) fraudulent prescriptions for Promethazine with

Codeine Syrup. These fraudulent prescriptions used the names of approximately twelve (12) physicians and were filled in pharmacies within the Eastern District of Virginia and elsewhere.


**CONCLUSION**

25. Based on the information provided in this affidavit, probable cause exists to believe that Artavia Lorraine PALMER, also known as "Tay," Elitcha Kwami BONNEY, Melissa Janice HALL, also known as "Charlie," and Sherrita Rocquel MCMILLIAN, also known as "Rocquie" and "Rita," did unlawfully, knowingly, and intentionally conspire with others to distribute, acquire and obtain by misrepresentation, fraud, forgery, deception, or subterfuge, Promethazine with Codeine Syrup, a Schedule V controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 843(a)(3), and 846.

  
Bryan J. Morrison

TV

Sworn and subscribed to before me the 20 day of September 2012.

  
Theresa Carroll Buchanan  
United States Magistrate Judge

The Honorable Theresa Carroll Buchanan  
United States Magistrate Judge